





City of Santa Fe, New Mexico

memo

DATE: September 20, 2006

TO: Historic design Review Board
David Rasch, Historic Preservation Section Head

VIA: Diane T. Quarles, Planning and Land Use Department Director 
Greg Smith, Planning and Land Use Division Director 
Anne L. Lovely, Assistant City Attorney 

FROM: Daniel A. Esquibel, Land Use Planner Senior 

RE: Guest House designation

At the September 12, 2006 H-Board meeting, an issue was brought up by the members concerning the designation of an accessory dwelling unit i.e. guest house. The question raised is: Where there is an existing residence and a proposed residence, does the owner of the property in question have the ability to construct a second dwelling on the property and designate the new structure as the principal residence, and the existing structure the accessory dwelling?

It is not uncommon for new land owners who purchase property with an existing dwelling to construct a new structure and designate the new dwelling as the primary and the existing structure as the accessory.

14-6.3(C) (1) & 14-6.3 of Chapter 14 does not preclude the development of property in this manner provided all of the standards are met (reference Exhibit A & B). The end result of this scenario is that eventually one structure will be limited to the accessory structure standards. A residence and accessory structure designation is decided by the property owner, the use is permitted and regulated by the Chapter 14, review and authorization of use is not subject to committee review or action.

EXHIBIT A

14-6.3(C) (1) Accessory Dwelling Units (Ord. No. 2002-38 § 3)

Accessory dwelling units are intended to provide additional dwelling space for the residents of the principal dwelling unit or their guests or employees. In addition, accessory dwelling units are intended to provide dwelling space for non-transient tenants. The rental of accessory dwelling units may increase the supply of affordable housing and will disperse rental units throughout the community.

C) Standards for Specific Accessory Uses

(1) Accessory Dwelling Units

- (a) Are required to meet parking standards as set forth in §14-8.6;
- (b) Shall be regulated as per City regulations and policies regarding City utilities;
- (c) Are exempt from the density restrictions set forth in this chapter; however, only one accessory dwelling unit shall be permitted per lot of record;
- (d) Shall be built only when permission to construct is granted to the owner-occupant of the principal dwelling unit;
- (e) Shall have a footprint not exceeding the square footage of the footprint of the principal dwelling unit, or not more than 1500 square feet whichever is less;
- (f) Shall be limited to one story and shall not exceed 15 feet to the top of the parapet or to the highest point of the roof if there is no parapet;
- (g) Shall be of the same architectural style as the principal dwelling unit;
- (h) May be rented provided that the rental period is no less than one month and the owner of the property occupies the principal dwelling unit. As an alternative, the owner of the property may occupy the accessory dwelling unit and rent the principal dwelling unit provided that the rental period is no less than one month; and
- (i) An affidavit shall be recorded prior to issuance of any construction permit for an accessory dwelling unit stating that the property owner agrees to comply with these provisions.

EXHIBIT B

14-6.3 ACCESSORY USES OR STRUCTURES

- (A) Permitted Accessory Uses and Structures
 - (1) R1-R-6, R-7, R-7(I), R-8, R-9, RC-5, RC-8, RM, RAC, C-1, C-4, and HZ Districts (Ord. No. 2002-38 § 2; Ord. No. 2002-39 § 8)
 - (a) The following accessory uses and structures are permitted in these districts:
 - (i) Home occupations, as provided for in §14-6.3(C)(2);
 - (ii) Noncommercial greenhouses and plant nurseries;
 - (iii) Private garages;
 - (iv) Utility sheds, located within the rear yard only;
 - (v) Children's play areas and play equipment;
 - (vi) Private barbeque pits, private swimming pools;
 - (vii) Private day-care nurseries, kindergartens as set out in §14-6.2(B)(5);
 - (viii) Accessory dwelling units as regulated in §14-6.3(C)(1);
 - (ix) Other uses and structures customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures; and
 - (x) Accessory structures of a permanent, temporary, or portable nature such as coverings not constructed of solid building materials including but not limited to inflatable covers over swimming pools and tennis courts and such other accessory structures which exceed 30 inches in height from the average ground elevation.
 - (b) All accessory uses and structures allowed under the preceding paragraph of this section shall:
 - (i) Not involve the conduct of business on the premises, except home occupations;
 - (ii) Be located on the same lot as the permitted principal use or structure or on a contiguous lot in the same ownership;
 - (iii) Not be likely to attract visitors in larger numbers than would normally be expected in a single-family residential neighborhood;
 - (iv) Total lot coverage by all structures does not exceed the provisions set forth in Article 14-7;
 - (v) Not be less than five feet from a side or rear lot line for an accessory structure of a single story or less, except as otherwise allowed in Article 14-7;
 - (vi) Not be less than ten feet from another building. This provision does not apply to accessory uses and structures which are not buildings; and
 - (vii) Not be less than 20 feet from the front lot line, except accessory dwelling units that shall meet the provisions set forth in Article 14-7.

11-05-12Y

GRANT OF EASEMENT

This Grant of Easement is made by and between Patricia A. Kehler, a married woman dealing in her sole and separate property, joined pro forma by her husband, Randall C. Kehler, and Donald R. Kwasek, a married man dealing in his sole and separate property, joined pro forma by his wife, Jamie McReynolds (hereinafter referred to as Kehler/Kwasek) and Christine A. Thraikill, a single woman, (hereinafter referred to as Thraikill).

Recitals:

WHEREAS, Kehler/Kwasek own as tenants in common that certain real property located in Santa Fe, Santa Fe County, New Mexico, with a street address of 512 Abeyta Street, and more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

WHEREAS, Thraikill owns that certain real property located in Santa Fe, Santa Fe County, New Mexico, with a street address of 516 Abeyta Street.

WHEREAS, the parties hereto share a driveway along their common boundary line.

WHEREAS, the parties hereto have utilities which encroach on each other property.

WHEREAS, the parties desire to formally grant mutual easements for ingress, egress and utilities over portions of their respective properties pursuant to this Agreement, which easements shall run with the land.

NOW, THEREFORE, in consideration of the mutual covenants and promises hereinmade, the parties hereto agree as follows:

1. **Kehler/Kwasek Easement.** Kehler/Kwasek hereby grant to Thraikill and her heirs, successors and assigns forever a non-exclusive ingress and egress easement over their property at

SFC CLERK 05/11/2005

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512 Abeyta Street, Santa Fe, New Mexico which easement is more particularly described on Exhibit B attached hereto and incorporated herein by this reference. In addition, Kehler/Kwasek hereby grant to Thraikill and her heirs successors and assigns forever a non-exclusive utility easement over the same area for purposes of maintaining sewer, water and other utilities for the benefit of the Thraikill property. Thraikill is hereby granted the right to maintain the utilities in the described on Exhibit B. These easements shall run with the land.

2. **Thraikill Easement.** Thraikill hereby grants to Kehler/Kwasek and their heirs, successors and assigns forever a non-exclusive ingress and egress easement over their property at 516 Abeyta Street, Santa Fe, New Mexico which easement is more particularly described on Exhibit C attached hereto and incorporated herein by this reference. In addition, Thraikill hereby grants to Kehler/Kwasek and their heirs successors and assigns forever a non-exclusive utility easement over the same area for purposes of maintaining sewer, water and other utilities for the benefit of the Kehler/Kwasek property. Kehler/Kwasek are hereby granted the right to maintain the utilities in the described on Exhibit C. These easements shall run with the land.

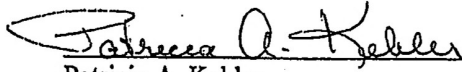
3. **General Use.** The parties agree that neither party shall have exclusive use of the easements granted herein, and each party agrees to cooperate with the other to allow maintain the utilities within the easements, and each party agrees to cooperate with the other to allow ingress and egress through the easements to the other's property.

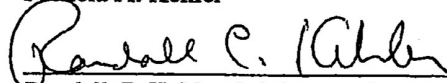
4. **Enforcement.** Each party shall have a right of specific performance of this Agreement.

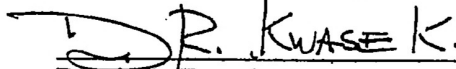
5. **Governing Law.** The laws of the state of New Mexico shall govern this Agreement.

SFC CLERK 05/11/2005

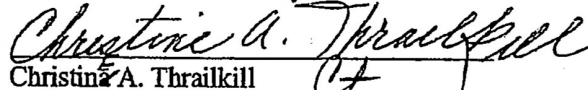
In witness whereof, the parties hereto have executed this Grant of Easement the day and year
note below.


Patricia A. Kehler


Randall C. Kehler, joining pro forma


Donald R. Kwasek


Jamie McRaynolds, joining pro forma


Christine A. Thrailkill

SFC CLERK 05/11/2005

ACKNOWLEDGEMENTS

STATE OF NEW MEXICO)
)ss.
COUNTY OF SANTA FE)

On April 17th, 2005, before me personally appeared Patricia A. Kehler and Randall C. Kehler, [] personally known to me OR proved to me on the basis of satisfactory evidence to be the person whose names are subscribed to the foregoing instrument and acknowledged to me that he executed the same in their authorized capacity, and that by their signatures on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal.

Maria T. Vega
Signature of Notary Public

MARIA T. VEGA
Printed Name of Notary Public

my commission expires 3/14/2009



SFC CLERK 05/17/2005

California

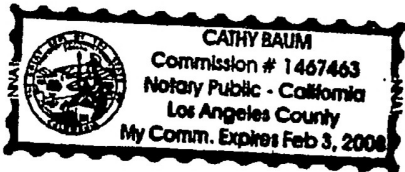
STATE OF ARIZONA)
 Los Angeles)ss.
COUNTY OF ~~MARICOPA~~)

On April 29th, 2004, before me personally appeared Donald R. Kwasek and Jamie McReynolds, [] personally known to me [] OR proved to me on the basis of satisfactory evidence to be the person whose names are subscribed to the foregoing instrument and acknowledged to me that he executed the same in their authorized capacity, and that by their signatures on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal.

Cathy Baum
Signature of Notary Public

Cathy Baum
Printed Name of Notary Public



STATE OF CALIFORNIA)
)ss.
COUNTY OF SAN BERNARDINO

On April 28, 2004, before me personally appeared Christina ^{ET} A. Thrailkill, [] personally known to me [] OR proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal.



George N. Mable
Signature of Notary Public

GEORGE N. MABLE
Printed Name of Notary Public

E:\cdp\PD\Files\Apodaca, Clara\docs\Easement Agreement.wpd

SFC CLERK 05/11/2005

LEGAL DESCRIPTION

A tract of land located on 512 Abeyta Street, City of Santa Fe, Santa Fe County, New Mexico and being more particularly described as follows, to wit:

Beginning at the southeast corner of the above mentioned tract, whence Santa Fe Control Monument No. 1036, bears S 26°13'48" W, 389.05'; thence, from said point of beginning, N 87°18'38" W, 98.02'; thence, N 00°09'28" E, 34.36'; thence, N 02°44'39" W, 35.85'; thence, N 89°58'42" W, 95.58'; thence, S 00°24'01" E, 74.81'; to the point and place of beginning. Containing 7,051 square feet more or less. All as shown on a plat of survey for Oliver Eric Roccamo and Shawn B. Roccamo, by Philip B. Wiegel, PS 9758, dated 23 March, 2005, bearing project No. 05030196.

SFC CLERK 05/11/2005



Philip B. Wiegel
Philip B. Wiegel, NMPS No. 9758

EXHIBIT "A"

EASEMENT ON 512 ABEYTA STREET

A tract of land located on 512 Abeyta Street, City of Santa Fe, Santa Fe County, New Mexico and being more particularly described as follows, to wit:

Beginning at the southeast corner of the above mentioned tract, whence Santa Fe Control Monument No. 1036, bears S 26°13'48" W, 389.05'; thence from said point of beginning, N 87°18'38" W, 98.02'; thence, N 00°09'28" E, 5.00'; thence S 87°18'38" E, 24.49'; thence, S 83°42'07" E, 37.02'; thence, N 86°29'48" E, 14.01'; thence, N 84°07'32" E, 22.72'; thence, S 00°24'01" E, 7.58' to the point and place of beginning. All as shown on a plat of survey for Oliver Eric Roccamo and Shawn B. Roccamo, by Philip B. Wiegel, PS 9758, dated 23 March, 2005, bearing project No. 05030196.

SFC Clerk 05/11/2005



Philip B. Wiegel
Philip B. Wiegel, NMPS No. 9758

EXHIBIT "B"

THRAILKILL EASEMENT

A tract of land located on 512 Abeyta Street, City of Santa Fe, Santa Fe County, New Mexico and being more particularly described as follows, to wit:

Beginning at the northeast corner of the above mentioned tract, whence Santa Fe Control Monument No. 1036, bears S 26°13'48" W, 389.05'; thence, from said point of beginning, S 02°32'09" E, 7.30'; thence, N 86°33'27" W, 24.76'; thence, N 88°10'03" E, 47.64'; thence, N 00°43'34" E, 7.67'; thence, S 87°18'38" E, 71.99'. All as shown on a plat of survey for Oliver Eric Roccamo and Shawn B. Roccamo, by Philip B. Wiegel, PS 9758, dated 23 March, 2005, bearing project No. 05030196.

SFC Clerk 05/11/2005



Philip B. Wiegel
Philip B. Wiegel, NMPS No. 9758

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

EASEMENT
PAGES: 8

I Hereby Certify That This Instrument Was Filed for
Record On The 11TH Day Of May, A.D., 2005 at 10:13
And Was Duly Recorded as Instrument # 1379291
Of The Records Of Santa Fe County

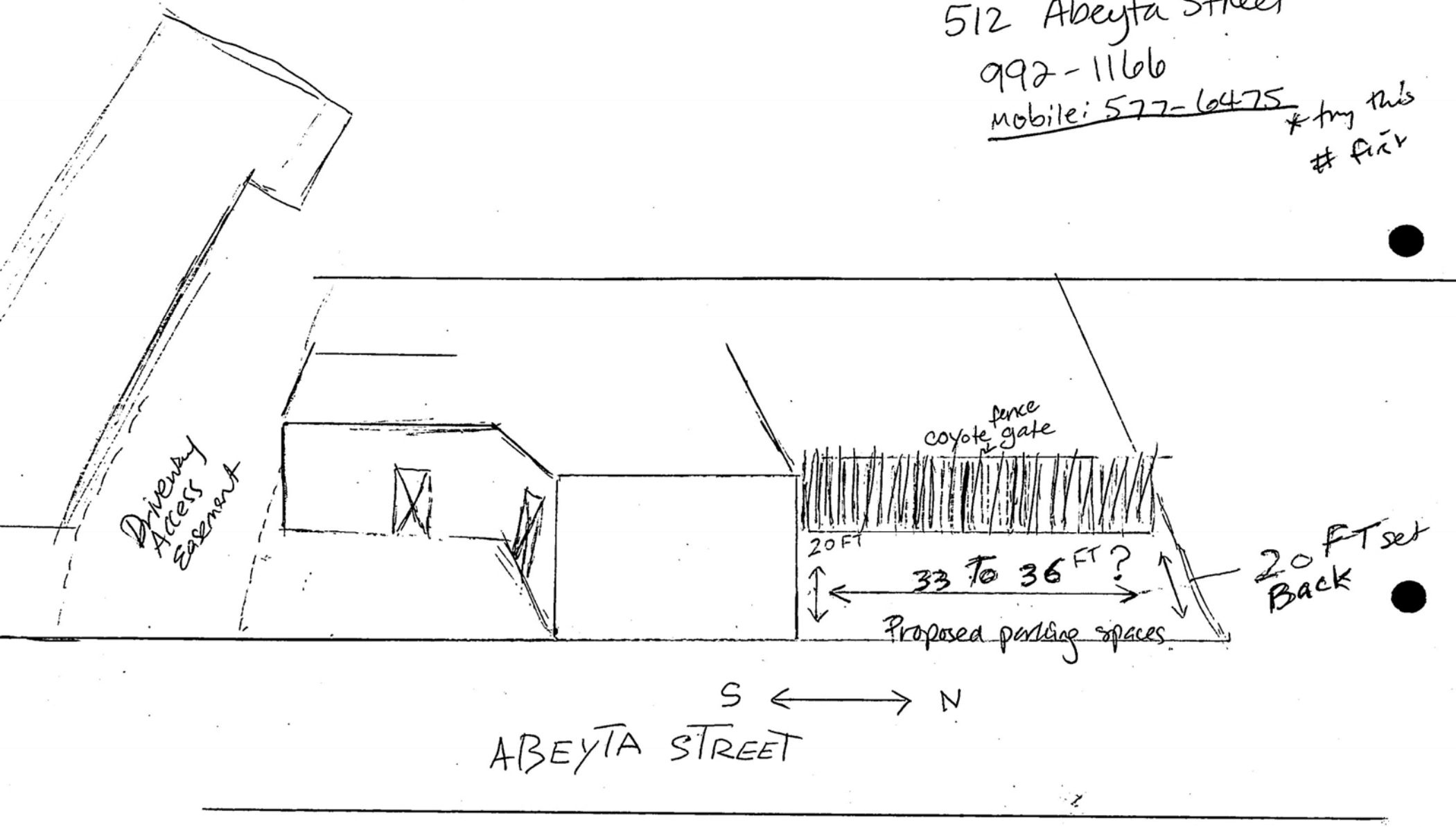
Deputy *[Signature]* *[Signature]* Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM



1: "C"

Olivier Roccamo
512 Abeyta Street
992-1166
mobile: 577-6475

*try this
first

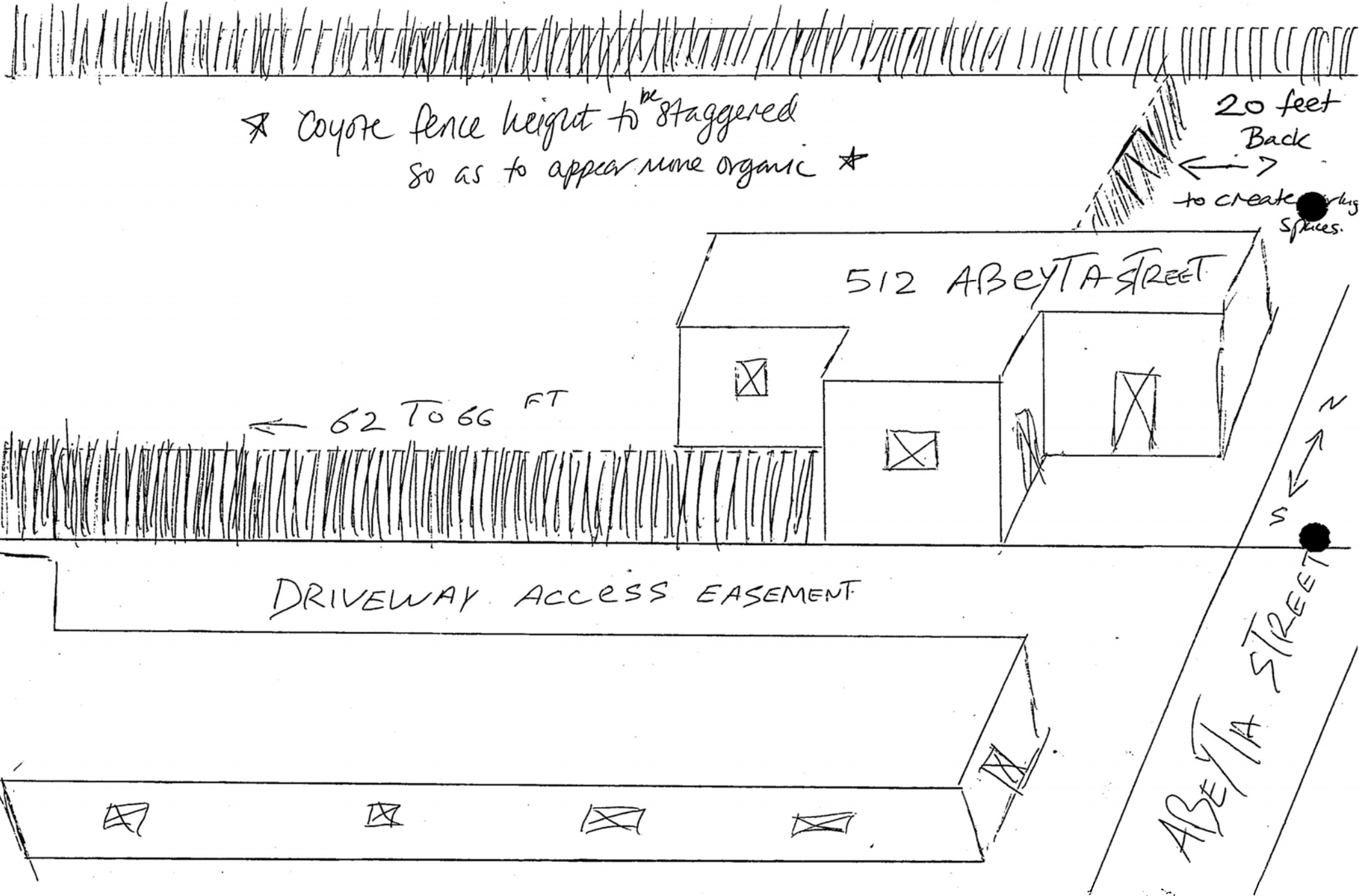


Olivier Roccamo 992-1166 mobile: 577-6475
512 Abeyta St.

Please call this number first

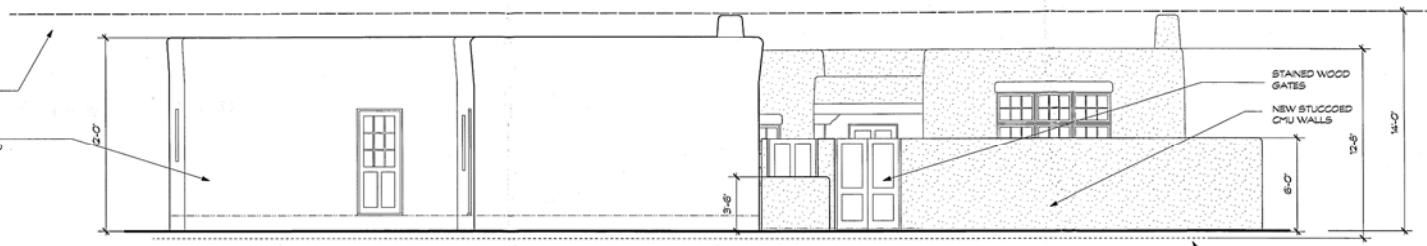
* Coyote fence height to be staggered
so as to appear more organic *

20 feet
Back
to create
spaces.



ALLOWABLE HEIGHT
PER SANTA FE CITY
PLANNING

EXISTING RESIDENCE -
NO NEW WORK PROPOSED



MATERIAL COLOR LIST:

WINDOWS AND DOORS:
JEN-WELD P-104 HEIRLOOM WHITE

STUCCO:
EXISTING HOUSE:
EL REY ADOBE
PROPOSED NEW RESIDENCE:
EL REY LA LUZ

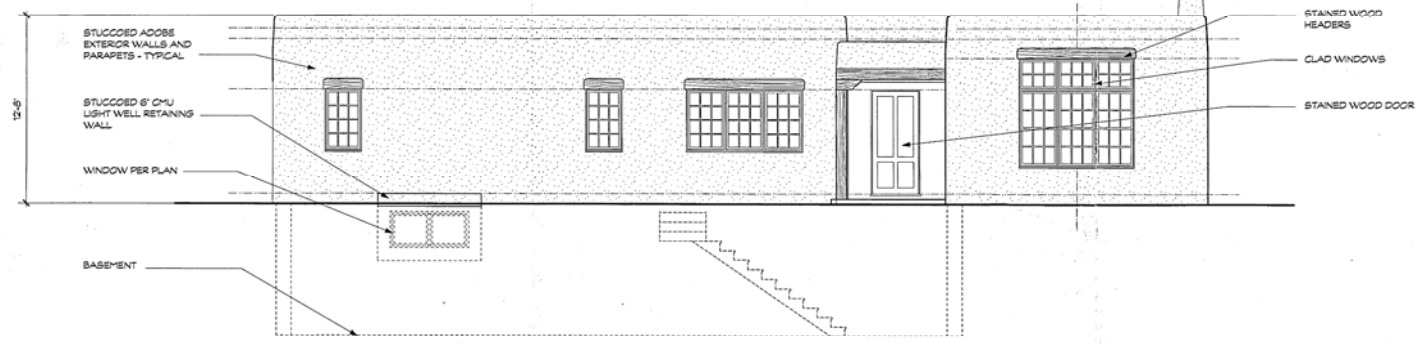
PINE COLUMNS AND EXPOSED HEADERS:
CLEAR NATURAL FINISH

1 EAST ELEVATION - STREET VIEW - EXISTING AND NEW
Scale: 1/4" = 1'-0"

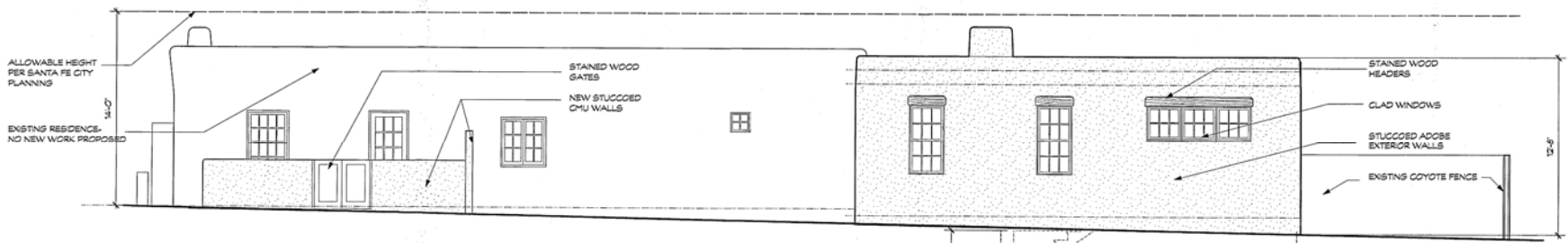
APPROX GRADE @
PROPOSED NEW
RESIDENCE

- PLANS & LOTS USE -	
<input checked="" type="checkbox"/>	Historic Design Review
<input type="checkbox"/>	Landmarks Review
<input type="checkbox"/>	Historic Preservation Review
<input type="checkbox"/>	Archival
<input type="checkbox"/>	Commercial Approval
<input type="checkbox"/>	PLACET

Name: *Facula Nis* Date: *9/2/06*



1 EAST ELEVATION
Scale: 1/4" = 1'-0"



3 NORTH ELEVATION EXISTING AND NEW
Scale: 1/4" = 1'-0"

PaysonDenney Architects
388 E Palace Ave. Santa Fe, NM 87501
505.820.1126 / 505.820.1235 fx. CA 50404
310.422.2833 / 310.420.9422 fx. 800.927.8551

BLUEJACKET/ROCCAMO RESIDENCE
517 ABEYTA STREET
SANTA FE, NM 87505

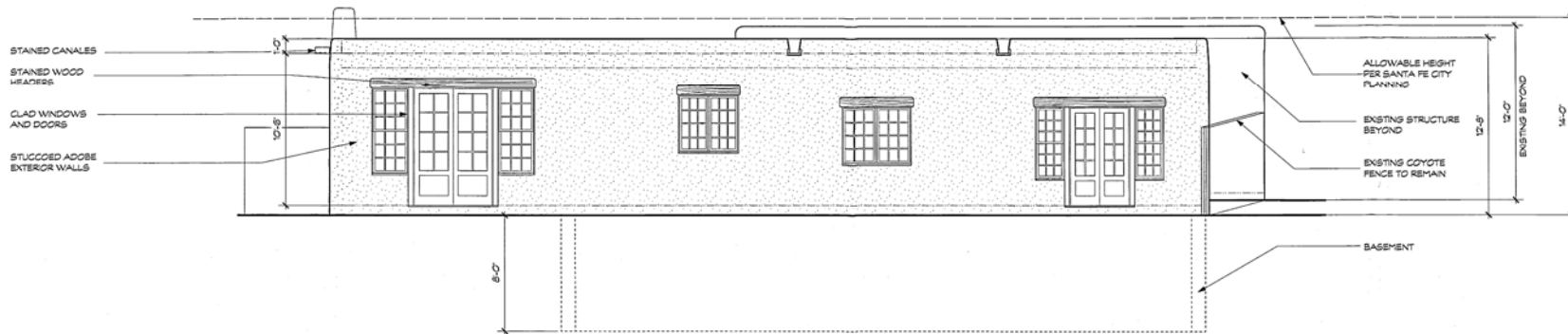
REVISIONS PER
HISTORIC DISTRICT
REVIEW BOARD
MEETING AUGUST 8, 2006

ELEVATIONS 1

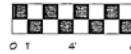
Revision 0 / 22 / 06
Sheet

A4

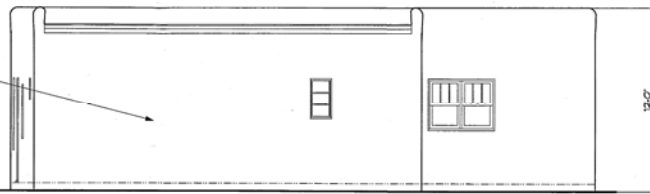
Date APRIL 22, 2006



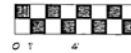
2 WEST ELEVATION
Scale: 1/4" = 1'-0"



EXISTING RESIDENCE -
NO NEW WORK PROPOSED



2 WEST ELEVATION - EXISTING
Scale: 1/4" = 1'-0"



MATERIAL COLOR LIST:

WINDOWS AND DOORS:
JEN-WELD P-104 HEIRLOOM WHITE

STUCCO:
EXISTING HOUSE :
EL REY ADOBE
PROPOSED NEW RESIDENCE:
EL REY LA LUZ

PINE COLUMNS AND EXPOSED HEADERS:
CLEAR NATURAL FINISH

ALLOWABLE HEIGHT
PER SANTA FE CITY
PLANNING

STAINED CANALES
STAINED WOOD
HEADERS
CLAD WINDOWS
AND DOORS
STUCCOED ADOBE
EXTERIOR WALLS

EXISTING COYOTE
FENCE

BASEMENT

EXISTING RESIDENCE -
NO NEW WORK PROPOSED

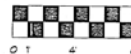
COYOTE FENCE

12'-0"

12'-0"








14'-0"

4 SOUTH ELEVATION
Scale: 1/4" = 1'-0"



Drawing Symbols

Dimensions are 'Clear Finish' or $\frac{1}{2}$ " of stud unless noted otherwise

-  Existing wall to be removed
-  New Wall (u.n.o.)
-  Interior Elevations per A-
-  Section per A-
-  Door per schedule A-
-  Window per schedule A-
-  Fixture/Appliance per schedule A-

Abbreviations:

A.B. Anchor Bolt	(N) New
A.F.F. Above Finish Floor	N.I.C. Not in contract
B.N. Border nail	Opg. Opening
B.O. Bottom of	O.H. Overhang
C.B. Carriage bolt	O.C. On center
CL Centerline	P.L. Property line
Clr Clear	Pwd. Plywood
D.S. Downspout	R+S Rod and Shelf
(E) Existing	R.O. Rough opening
E.N. Edge nail	R.R. Roof rafter
F.J. Floor joist	T.B.A. To be approved by arch't.
G Gas	T.O. Top of
G.I. Galvanized iron	T.O.P. Top of plate
H.B. Hose bibb	Typ Typical
M.B. Machine bolt	U.N.O. Unless noted otherwise
M.C. Medicine cabinet	W.P. Waterproof
V.I.F. Verify In Field	

Proposed New Construction :
512 Abeyta Street, Santa Fe, NM

Owner: Shawn Bluejacket
Olivier Roccamo

Project Data

Project Address: 512 Abeyta Street
 Legal Description:
 Owner: Shawn Bluejacket and Olivier Roccamo
 Architect: PaysonDenneyArchitects
 755 Acequia Madre
 Santa Fe, NM 87505
 505-820-1126

Vicinity map



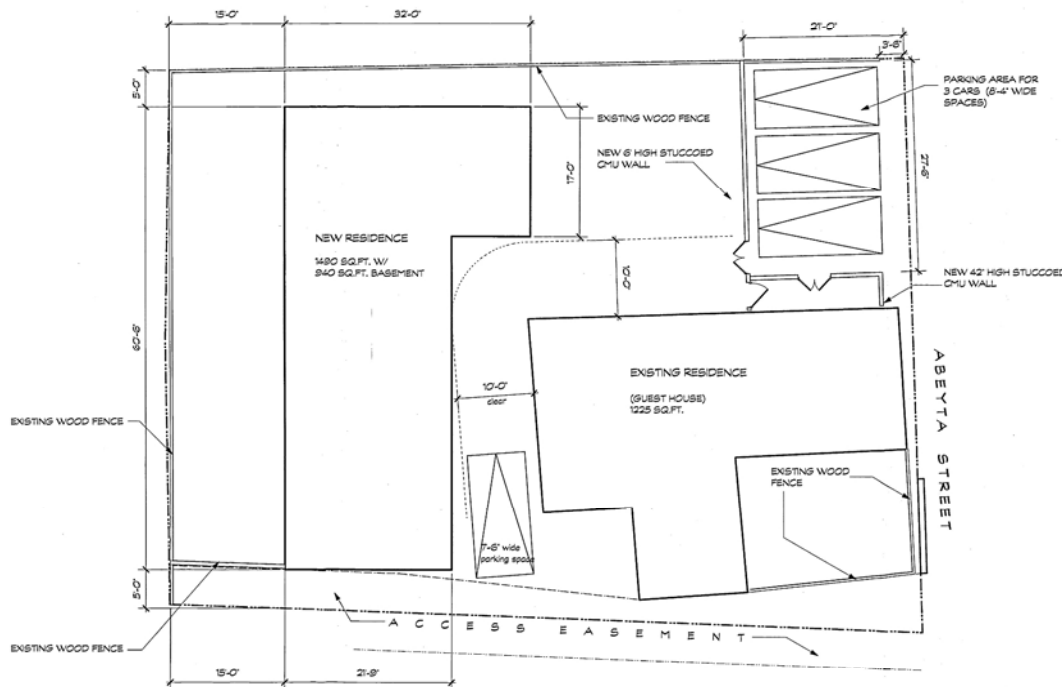
Legal Description:

Drawing Index:

- A1 Cover Sheet : Plot Plan, Abbreviations, Map, Symbols, Index
- A2 First Floor Plan
- A3 Basement Plan
- A4 Roof Plan
- A5 Exterior Elevations, Cross Section

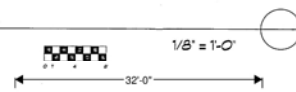
Area Calculations

Lot Size 95.58' x 75.00' x 98.02' x 70.21'	7051 S.F.
Existing One Story House to Remain	
- convert to Guest House	1,225 S.F.
Proposed 1 - Story residence with Basement	
First Floor	1,490 S.F.
Basement	940 S.F.
Total Heated Floor Area	3,655 s.f.
Total Area Under Roof	2,715 s.f.
Lot Coverage (7,051 / 2,715)	38.5%
Parking Provided	4 Spaces



Site Plan

Site Information has been taken from a Survey by Del Rio Surveys, Inc. Project # 05030198 dated 3 / 23 / 05



PaysonDenney Architects
 355 E Palace Ave. Santa Fe, NM 87501
 505.820.1276 / 505.820.1235 fx
 1330 Olympic Bl. Santa Monica, CA 90404
 310.455.5553 / 310.450.0742 fx
 800.927.8551

BLUEJACKET/ROCCAMO RESIDENCE
 512 ABEYTA STREET
 SANTA FE, NM 87505

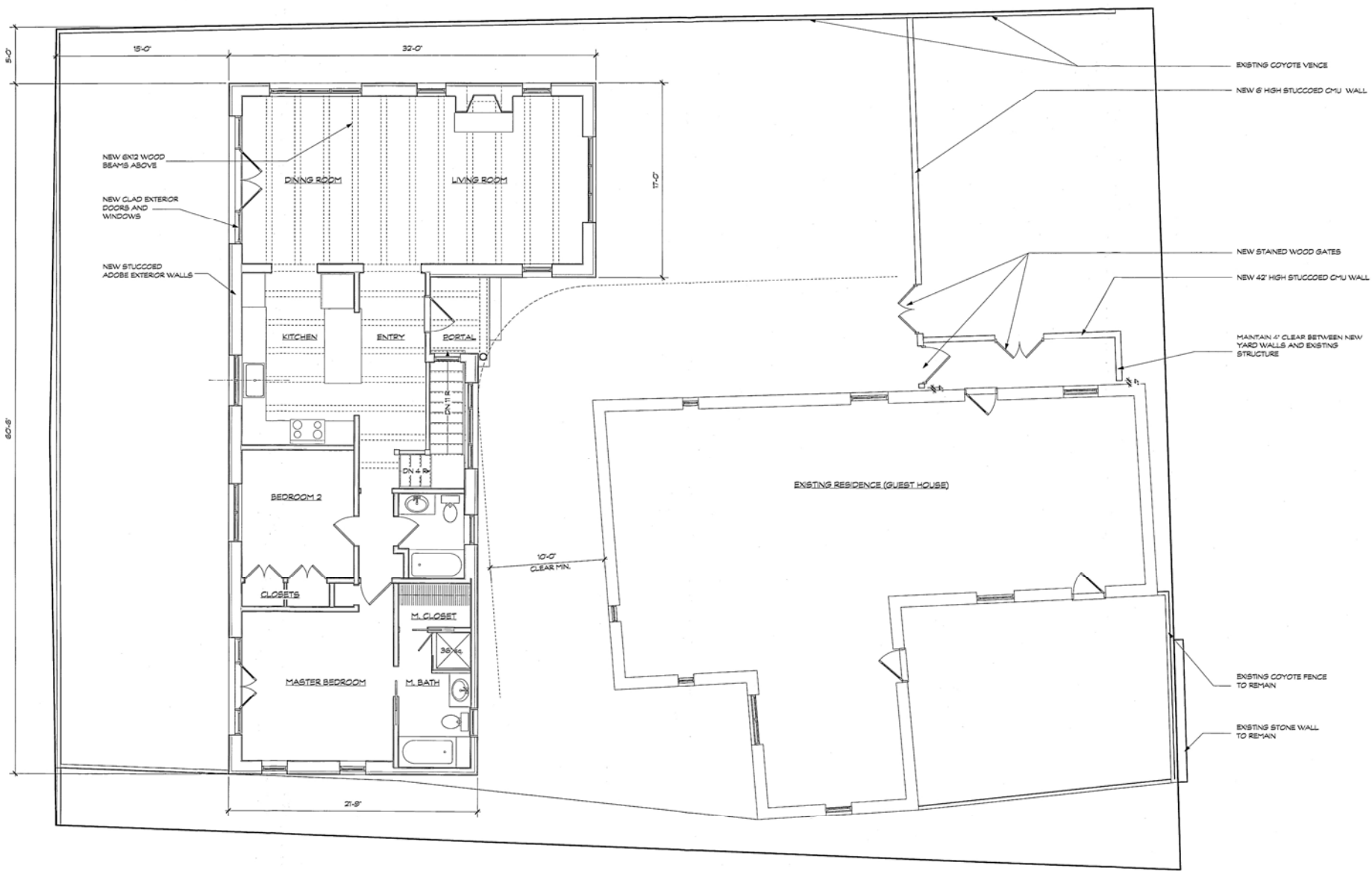
REVISIONS PER HISTORIC DISTRICT REVIEW BOARD MEETING AUGUST 6, 2006

General Notes
 Plot Plan
 Demolition Plan

Revision 6 / 22 / 06
 Sheet

A1

Date APRIL 22, 2006



PaysonDenney Architects
 355 E Palace Ave. Santa Fe, NM 87501
 505.820.1126 / 505.820.1232 fx
 1330 Olympic Bl. Santa Monica, CA 90404
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BLUEJACKET/ROCCAMO RESIDENCE
 512 ABEYTA STREET
 SANTA FE, NM 87505

REVISIONS PER HISTORIC DISTRICT REVIEW BOARD MEETING AUGUST 6, 2006

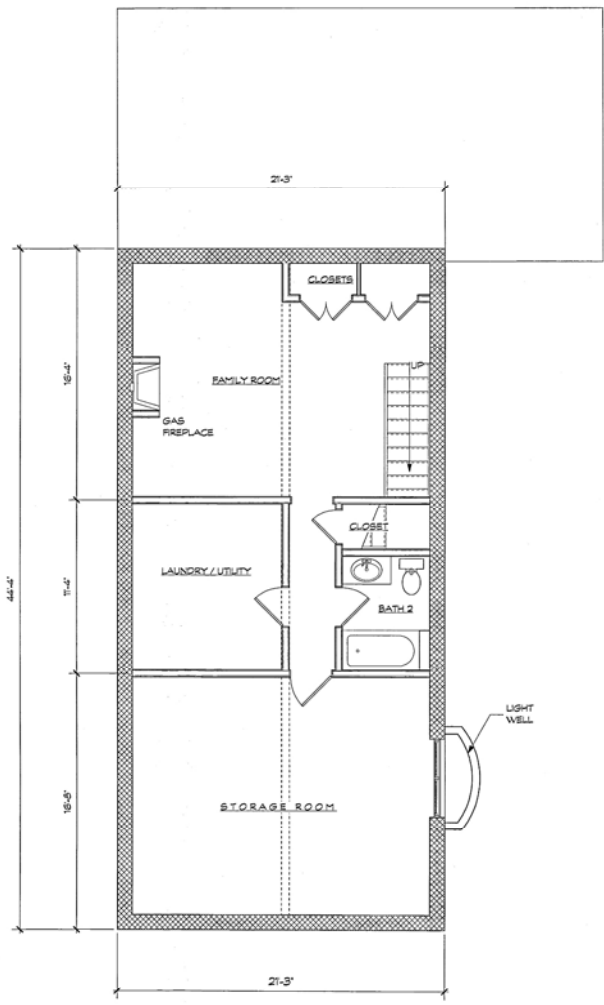
FLOOR PLAN

Revision 6 / 22 / 06
 Sheet

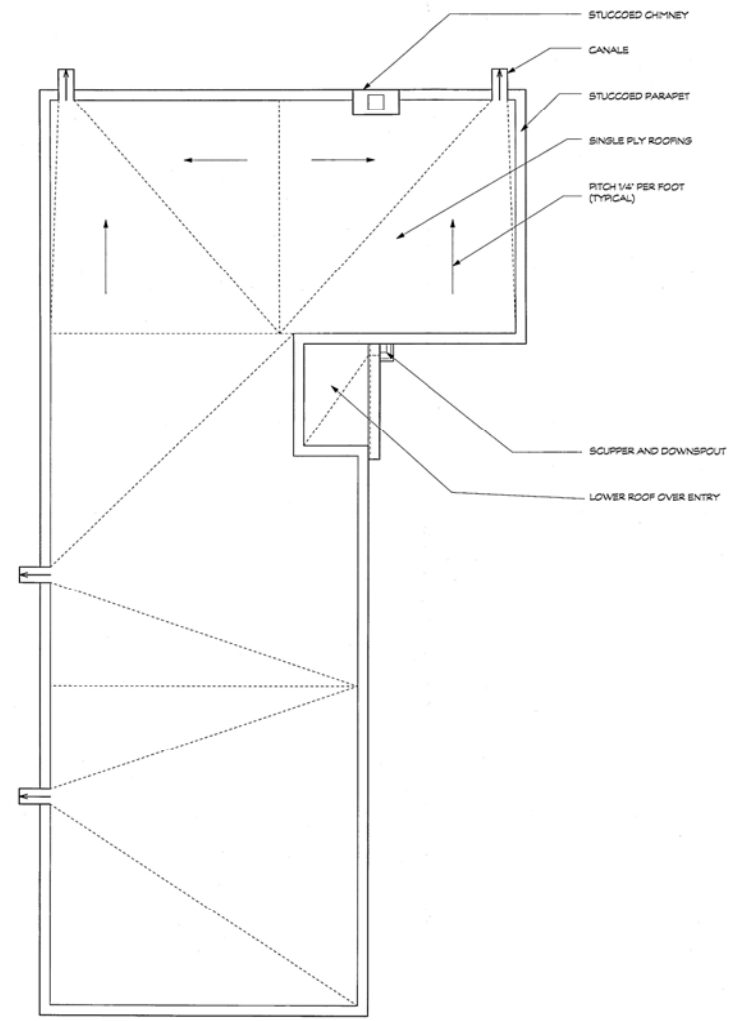
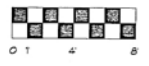
A2
 of
 Date APRIL 22, 2006

1 FLOOR PLAN
 A2
 Scale: 1/4" = 1'-0"

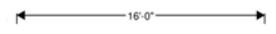
0 4 8



2 BASEMENT PLAN
 A3 Scale: 1/4" = 1'-0"



1 ROOF PLAN
 A3 Scale: 1/4" = 1'-0"



PaysonDemney Architects
 355 E. PALMO AVE. SANTA FE, NM 87501
 505.820.1126 / 505.820.1235 fx
 1300 AVENUE BLVD. SUITE 2000 DENVER, CO 80202
 303.733.0333 / 303.733.0332 fx 800.927.8551

BLUE/JACKET/ROCCAMO RESIDENCE
 512 ABEYTA STREET
 SANTA FE, NM 87505

REVISIONS PER HISTORIC DISTRICT REVIEW BOARD MEETING AUGUST 6, 2006

ROOF PLAN
 BASEMENT PLAN

Revision 8 / 22 / 06
 Sheet

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 of

Date APRIL 22, 2006